

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:20-cv-876

NORTH CAROLINA A. PHILIP)
RANDOLPH INSTITUTE, and ACTION,)
NC,)
Plaintiffs,)
v.)
THE NORTH CAROLINA STATE)
BOARD OF ELECTIONS; DAMON)
CIRCOSTA, in his official capacity as)
CHAIR OF THE STATE BOARD OF)
ELECTIONS; STELLA ANDERSON, in)
her official capacity as SECRETARY OF)
THE STATE BOARD OF ELECTIONS;)
JEFF CARMON III, in his official)
capacity as MEMBER OF THE STATE)
BOARD OF ELECTIONS; KAREN)
BRINSON BELL, in her official capacity)
as EXECUTIVE DIRECTOR OF THE)
STATE BOARD OF ELECTIONS; and)
JOSH STEIN, in his official capacity as)
ATTORNEY GENERAL OF THE)
STATE OF NORTH CAROLINA,)
Defendants.)

**DEFENDANTS'
MOTION TO DISMISS**

NOW COMES Defendants, the North Carolina State Board of Elections (NCSBE), Damon Circosta, in his official capacity as Chair of the NCSBE, Stella Anderson, in her official capacity as Secretary of the NCSBE, Jeff Carmon, III, in his official capacity as Member of the NCSBE, Karen Brinson Bell, in her capacity as Executive Director of the NCSBE, and Josh Stein, Attorney General of the State of North Carolina, through undersigned counsel, to move for dismissal of Plaintiffs' Complaint

[D.E. 1] pursuant to Fed. R. Civ. P. 12(b)(1), (2), and (6). In support of this motion, Defendants file a Memorandum of Law herewith.

Respectfully submitted this the 16th day of October, 2020.

**JOSHUA H. STEIN
Attorney General**

/s/ Terence Steed
Terence Steed
Special Deputy Attorney General
N.C. State Bar No. 52809
E-mail: tsteed@ncdoj.gov

Paul M. Cox
Special Deputy Attorney General
N.C. State Bar No. 49146
E-mail: pcox@ncdoj.gov

Olga E. Vysotskaya de Brito
Special Deputy Attorney General
N.C. State Bar No. 31846
Email: ovysotskaya@ncdoj.gov

N.C. Department of Justice
P.O. Box 629
Raleigh, NC 27602-0629
Telephone: (919) 716-6567
Facsimile: (919) 716-6761

Attorneys for Defendants